

REMARKS

This is in response to the Office Action mailed on November 27, 2006. With this Amendment, claims 41-44 are canceled without prejudice and new claims 46-53 are added, such that claim 45 is withdrawn and claims 46-53 are pending in this application. Such amendments are fully supported by the specification, claims and drawings as originally filed. No new matter has been entered. In light of the foregoing amendments and the following remarks, Applicant respectfully requests withdrawal of the pending rejections and advancement of this application to allowance.

New Claims

With the above Amendment, new claims 46-53 have been added. Claims 46-52 will be discussed first. A discussion of claim 53 will follow.

First, claim 46 recites a computer system comprising a computer and an optical disc. The optical disc has a data storage portion and an electronic circuit. The data storage portion is arranged and configured to store a particular operating system (“OS”), and a plurality of emulators which make the particular OS operable for different types of computers. The electronic circuit includes a data processing portion and memory storing a list of the contents stored in the data storage portion.

Claim 53 recites similar subject matter.

The Bakhoum patent (U.S. Patent No. 5,267,311) does not anticipate or render obvious claim 46. For example, the Bakhoum patent does not teach an optical disc. As another example, the Bakhoum patent does not teach a data storage portion that is arranged and configured to store a particular operating system, and a plurality of emulators which make the particular operating system operable for different types of computers. Rather, the Bakhoum patent is directed to “an ordinary floppy disk.” (Col. 3, lines 6-8). The diskette is protected from unauthorized copying and use by a device embedded inside an ordinary diskette cartridge. (Abstract).

For at least these reasons, claim 46 is patentably distinct from the Bakhoum patent. In addition, claims 47-52 depend from independent claim 46 and are therefore also patentably distinct from the Bakhoum patent. Notice to that effect is respectfully requested.

Second, new claim 53 recites an optical disc and a data storage portion that stores a particular operating system, and a plurality of emulators which make the particular operating

system operable for a specified computer kind. These and other features of claim 53 are not taught or suggested by the Bakhoum patent, as described herein. Therefore, allowance of claim 53 is respectfully requested.

Rejections under 35 U.S.C. § 102

In the Office Action, claims 41-44 were rejected under 35 U.S.C. § 102(b) as being anticipated by the Bakhoum patent (U.S. Patent No. 5,267,311). Applicant respectfully traverses this rejection. However, in an effort to advance the pending claims to allowance, claims 41-44 are canceled without prejudice. Therefore, the rejection of claims 41-44 is moot. Withdrawal of the rejection is respectfully requested. Applicant reserves the right to pursue the subject matter of the canceled claims is in one or more continuing applications.

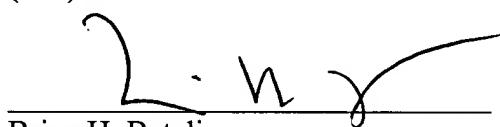
Conclusion

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance prosecution of this application, the Examiner is urged to contact the undersigned attorney at 612.336.4755 to discuss the same.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: March 27, 2007



Brian H. Batzli
Reg. No. 32,960
BHB/BAT:bog